IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 21589 of 2007(T)

PETITIONER:

CHELATT MANOJ, S/O. CHELATT KAMALAKSHI AMMA, VELLERIYIL VEEDU, ERANHIKKODE P.O., KOLAPAD, MALAPPURAM DISTRICT.

BY ADV. SRI.T.K.AJITH KUMAR

RESPONDENTS:

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1. NILAMBUR CO-OPERATIVE URBAN BANK LTD., NILAMBUR P.O., MALAPPURAM DISTRICT, REPRESENTED BY ITS SECRETARY.

2. DY. GENERAL MANAGER (THE AUTHORISED OFFICER), NILAMBUR CO-OPERATIVE URBAN BANK LTD., NILAMBUR P.O., MALAPPURAM DISTRICT.

BY ADV. SHRI P.J. DEVAPRASANTH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 21589 OF 2007 T

Dated this the 18th July, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Petitioner had approached this Court earlier as evident from Exts.P1 and P2. Petitioner again challenges Ext.P3 notice. Heard the learned counsel appearing for the respondent Bank also. He points out that the second approach is impermissible. He also points out that Ext.P3 is only a possession notice and some time will be taken for effecting sale and it is open to the petitioner to clear the entire amount before the time of sale. It is also pointed out that normally proceedings for sale will take at least two months' time. He also submits that if the petitioner effects payment of the entire amount remaining to be paid without penal interest within two months from today, the entire penal interest will be waived. I record the submissions of the counsel for first respondent Bank and dispose of the Writ Petition.

K. M. JOSEPH, JUDGE

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